

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MIRANDA RUIZ,

Defendant.

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8:11CR43

ORDER

This matter is before the court on the motion for an extension of time by defendant Miranda Ruiz (Ruiz) (Filing No. 59). Ruiz seeks an additional twenty days in which to file pretrial motions in accordance with the progression order. Ruiz's counsel represents that Ruiz will file an affidavit wherein she consents to the motion and acknowledges she understands the additional time may be excludable time for the purposes of the Speedy Trial Act. Upon consideration, the motion will be granted

IT IS ORDERED:

Defendant Ruiz's motion for an extension of time (Filing No. 59) is granted. Ruiz is given until **on or before April 18, 2011**, in which to file pretrial motions pursuant to the progression order. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the **time between March 23, 2011, and April 18, 2011**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel requires additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

DATED this 23rd day of March, 2011.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge